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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS ASSISTANCE MISSION FOR RWANDA

I. INTRODUCTION

1. The present report is submitted in pursuance of paragraph 1 of Security Council resolution 965 (1994) of 30 November 1994, in which the Council decided to extend the mandate of the United Nations Assistance Mission for Rwanda (UNAMIR) until 9 June 1995. Since the adoption of that resolution, I reported to the Council on the situation in Rwanda on 6 February (S/1995/107) and 9 April (S/1995/297), and on security in the Rwandese refugee camps on 25 January (S/1995/65) and 14 April (S/1995/304). I have also provided the Council with oral briefings on current developments in Rwanda. The present report provides an update on the situation since my progress report of 9 April, as well as recommendations regarding the role of the United Nations in Rwanda.

II. POLITICAL DEVELOPMENTS

2. Since my last report to the Security Council, a climate of relative stability has prevailed in Rwanda. The country is now largely at peace, electricity, water and communications have been partly restored, primary and secondary schools have reopened and economic and agricultural activities have resumed. The long and arduous process of recovery has begun.

3. The Government has recently taken a number of positive actions. It recently submitted to the National Assembly a list of 12 candidates from among whom the Assembly will select the 6 highest-ranking judges in the country, i.e. the President of the Supreme Court and his 5 deputies. Under the Arusha peace agreement, these judges are to be selected by the National Assembly from a list presented by the Government nominating two candidates for each post. The National Assembly has also begun discussions on a new Constitution to replace the 1992 Constitution currently in force. On 2 May, a military court also began sitting in Kigali to try the cases of 14 soldiers accused of involvement in murder and armed robbery. After preliminary internal investigations, two senior military officers involved in the Kibeho tragedy have been suspended.

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4. None the less, the situation remains tense, with no significant advances in the process of national reconciliation, grossly overcrowded prisons, arbitrary arrests, tension over property rights and the lack of an effective judicial system. The causes of Rwanda's current tensions and frustrations need to be analysed. First, the military activities and reports of arms deliveries to elements of the former Rwandese government forces in neighbouring countries are sources of serious concern for the Government. Increasingly organized incursions into Rwanda by the former Rwandese government forces have led to security alerts and the arrest of suspected sympathizers. The Government is concerned that no effective limitations are seen to be placed on military training of, and delivery of arms supplies to, elements of the former Rwandese government forces, while the arms embargo continues to apply to Rwanda.

5. The delay in bringing those responsible for the genocide to justice, both through the International Tribunal and at the national level, is another cause of deep frustration. The Rwandan Government points out that many of those responsible for the genocide continue to operate openly from abroad, despite the adoption of Security Council resolution 978 (1995) and the transmittal of lists of alleged criminals to the countries concerned. Nor has the Tribunal yet begun its work, and the national judicial system, which has the responsibility for processing most of the detainees currently in Rwandan prisons, is severely short of personnel and resources and is also dependent on international support. A third element which is stressed in Rwandan government circles is the slow delivery of the economic assistance pledged at the round table held by the United Nations Development Programme (UNDP) at Geneva on 18 and 19 January 1995. Although $634 million was pledged on that occasion, only $69 million has actually been disbursed, of which $26 million has been utilized for debt repayment. It is important that these problems be addressed.

6. The safe return of refugees has been acknowledged as a vital element in promoting stability and harmony in the country. This concept was accepted at the Nairobi Summit, at the Bujumbura Conference and in trilateral agreements between Rwanda, the Office of the United Nations High Commissioner for Refugees (UNHCR) and neighbouring countries. The sense of security and confidence that is needed to persuade refugees to return depends not only on improved conditions inside the country but also on better relations among the countries of the Great Lakes region. I continue to believe that a regional conference, which the Security Council has endorsed on a number of occasions, should be convened as soon as possible and in consultation with the Organization of African Unity (OAU), with a view to resolving the broader and interrelated issues of peace, security and stability in the region.

III. SECURITY ASPECTS

7. Since I last reported to the Council, the Government has continued to report military preparations and incursions by elements of the former regime. The number of arrests for alleged complicity in the genocide has remained high. As a result, the sense of insecurity prevailing within the communes has inhibited the repatriation of refugees. The prisons continue to be seriously overcrowded (see para. 26 below). Acrimonious criticism of the international community in general, and UNAMIR in particular, has also continued unabated and

this has encouraged an attitude of non-cooperation, even hostility, at the middle and lower levels of the Rwandan Government.

8. During the period under review, the Rwandese Patriotic Army has continued to deny UNAMIR access to parts of the country, has searched and seized UNAMIR vehicles and other equipment and has participated in anti-UNAMIR demonstrations. These activities, many of them in violation of the status-of-mission agreement, have hampered UNAMIR in the discharge of its tasks on the ground. There have been continuing difficulties over troop rotations, with UNAMIR personnel being delayed or denied entry at Kigali airport. Joint meetings between UNAMIR and the Rwandese Patriotic Army, which had been held on a fortnightly basis, have not taken place during the past three months.

9. The anniversary of last year's genocide was commemorated in a week of mourning beginning on 7 April. On that occasion, I addressed a message of sympathy to President Bizimungu. Mass rallies, speeches and demonstrations were held all over Rwanda. Some of these targeted the international community and UNAMIR in particular. The President and Vice-President assured my Special Representative that these hostile outbursts would be controlled. However, the level of cooperation with UNAMIR remains unsatisfactory.

10. The Kibeho tragedy underscored the tensions and fears that remain just beneath the surface in Rwanda. On 18 April, the Rwandan Government took action to cordon off and close the eight remaining camps for internally displaced persons in the Gikongoro region, of which Kibeho was by far the largest. The Government considered that since these camps were being used as sanctuaries by elements of the former Rwandese government forces and militia, they were a destabilizing factor and represented a security threat. Negotiations were taking place between the Government and United Nations for the voluntary closure of the camps when the decision to act was taken without notice or consultation. Seven of the camps were nevertheless closed without serious incident. However, at Kibeho an estimated 80,000 internally displaced persons attempted to break out on 22 April, after spending 5 days on a single hill without adequate space, shelter, food or sanitation. A large number of deaths occurred from firing by government forces, trampling and crushing during the stampede and machete attacks by hard-liners in the camp, who assaulted and intimidated those who wished to leave.

11. When the Rwandese Patriotic Army launched its operation, UNAMIR reacted immediately and within 24 hours took the following measures: trucks were deployed to transport internally displaced persons; 2 casualty collection posts were established by the Australian medical unit to provide emergency medical assistance; and a UNAMIR command post with communication facilities was set up to enhance communication and contact between the forces on the ground and UNAMIR headquarters. At the same time, UNAMIR engineers improved the Butare-Kibeho road to facilitate movement of convoys of internally displaced persons and humanitarian assistance. Sick and injured internally displaced persons were evacuated by UNAMIR troops to medical facilities operated by non-governmental organizations (NGOs) in Butare. This evacuation procedure was at times hindered by restrictions on movement and denial of passage to UNAMIR and relief agencies. The presence of UNAMIR troops at open relief centres, way stations and transit centres was increased. Patrols were intensified to facilitate the reception and

further evacuation of internally displaced persons from these temporary facilities to their various home communes. UNAMIR also increased its military observer presence to facilitate monitoring and enhance its escort capability.

12. From the establishment of the Rwandese Patriotic Army cordon on 18 April to the tragic events of 22 April, senior UNAMIR officials, including my Special Representative, the Force Commander and the Deputy Force Commander, visited Kibeho and the surrounding areas on several occasions to assess the situation on the ground, urge restraint and help to coordinate the activities of UNAMIR personnel and relief agencies.

13. Following the Kibeho tragedy, I immediately dispatched Mr. Aldo Ajello to Kigali as my Special Envoy to convey my concern to the Rwandan leaders and urge the Government to undertake an impartial investigation. On 27 April, the Government announced that an independent International Commission of Inquiry would be set up to investigate the circumstances and causes of the events and that the Commission would consist of representatives of Belgium, Canada, France, Germany, the Netherlands, the United Kingdom of Great Britain and Northern Ireland, the United States of America, OAU, the United Nations and the Government of Rwanda.

14. My Special Envoy visited Rwanda from 28 to 30 April. He welcomed the decision to set up the Commission of Inquiry and urged the Rwandan authorities to cooperate in the distribution of humanitarian relief at Kibeho and in the communes. He also stressed that those not suspected of contributing to the genocide be allowed to return to their homes in conditions of safety.

15. I am glad to report that my Special Envoy was assured that the Rwandan Government would cooperate fully with the Commission of Inquiry and that humanitarian agencies would be given full cooperation in providing humanitarian aid in the communes. This commitment has been fulfilled, with the result that large numbers of internally displaced persons are now in the process of resettling in their communes. After 3 weeks of persuasion through the combined efforts of UNAMIR and the Government of Rwanda, the approximately 2,500 internally displaced persons who had remained in Kibeho have also returned to their communes.

16. The Independent Commission of Inquiry has published its report (S/1995/411) and concluded that the tragedy of Kibeho was neither premeditated nor an accident that could not have been prevented. It recognized the efforts made by my Special Representative, UNAMIR, the Government of Rwanda and other organizations to keep the situation under control. It concluded that there was sufficient reliable evidence that unarmed internally displaced persons were subjected to serious human rights abuses committed by both the Rwandese Patriotic Army and armed elements in the camp. The Commission welcomed the initiative taken by the Rwandan Government to carry out an investigation at the national level. It also recommended that the international community continue encouraging and assisting Rwanda in its efforts to achieve justice, national reconciliation and reconstruction.

IV. MILITARY ASPECTS

17. As of 31 May 1995, UNAMIR's force strength stood at 5,586 troops and 317 military observers (see annex). The rotation of the Nigerian, Ethiopian and Ghanaian contingents has been completed. Parts of the Zambian and Indian contingents have also been rotated on schedule.

18. In spite of the resources diverted to cope with the internally displaced persons emergency, UNAMIR's military component continued to perform its other tasks, including the provision of security to human rights monitors, staff of the International Tribunal, United Nations agency personnel and NGOs. Because of the deteriorating security situation in Kigali and the increase in armed robberies, UNAMIR has had to make some adjustments in the deployment of formed troops in order to reinforce security in the capital. The detailed deployment of UNAMIR troops is shown on the attached map.

19. In addition to performing the tasks outlined in Security Council resolution 965 (1994), troops and military observers have continued to escort humanitarian relief convoys and to provide emergency medical assistance to Rwandan citizens at UNAMIR locations around the country and to internally displaced persons during the closure of internally displaced person camps in south-western Rwanda. UNAMIR logistic resources have been made available throughout the country, particularly to transport internally displaced persons and returning refugees. Its engineers assisted in the restoration of essential services and facilities, including the reconstruction of bridges, the repair of roads and water supply schemes. UNAMIR military observers maintain constant contact and coordination with the Government, human rights observers and United Nations agencies for the purpose of smooth and efficient movement and follow-up monitoring of resettled refugees and internally displaced persons. Support has also been provided to the Government of Rwanda for improving the administration of, and alleviating the terrible conditions in, the prisons. The presence of UNAMIR troops and military observers helps to create an atmosphere of security and confidence throughout the country.

V. CIVILIAN POLICE

20. During the reporting period, a major activity of UNAMIR's civilian police component continued to be the training of a new integrated national police force, as mandated under Security Council resolution 965 (1994). A group of 300 gendarmes and 20 instructors completed an intensive 16-week training programme on 29 April. They are expected to be deployed by the Government to gendarmerie brigades throughout the country. Arrangements had been made to start training 400 additional candidates in June over a period of four months. This was to be followed by the training of 100 instructors selected from the already trained gendarmes. However, as indicated in paragraph 56 below, the Rwandese Government has taken the position that the activities of the civilian police component should be terminated.

21. UNAMIR has also assisted the Chief of Staff of the National Gendarmerie in designing the organization and operational requirements of the new police force. A final orientation document has been completed and will serve as a basic guide

for the elaboration of formal requests to be submitted by the Government to its bilateral and multilateral partners for equipment and other logistic support for the National Gendarmerie.

22. In addition to their training tasks, the UNAMIR civilian police observers continue to maintain close liaison with local authorities in the 11 prefectures of Rwanda and to carry out monitoring and investigative activities. The observers are working closely with United Nations agencies and NGOs and are, in particular, assisting human rights monitors and UNAMIR personnel in their daily activities around the country.

23. Member States have not so far responded to the Secretariat's repeated requests for French-speaking police trainers. Out of an authorized strength of 120, only 64 police observers from 8 countries were deployed as of 31 May (see annex).

VI. HUMAN RIGHTS ASPECTS

24. The Human Rights Field Operation in Rwanda has continued its activities in the three main areas that constitute its mandate: investigations into the genocide and serious violations of international human rights and humanitarian law; monitoring of the human rights situation and promoting a climate of confidence, especially as regards the return of internally displaced persons; and technical cooperation and human rights education. As of 25 May 1995, the Field Operation had 121 members and 11 field offices located throughout the country.

25. The investigations into the genocide of 1994 continue to be an important component of the Field Operation's mandate. The reports and the extensive evidence gathered at massacre sites throughout Rwanda have been made available to the Special Rapporteur for Rwanda and to the International Tribunal. During his visit to Rwanda from 31 March to 3 April 1995, the High Commissioner for Human Rights handed over additional material to the Deputy Prosecutor. As further reports are received by the investigative teams, they are duly forwarded to the Special Rapporteur and to the International Tribunal.

26. During the period under review, the distressing conditions in Rwanda's prisons have remained a matter of serious concern. There are now approximately 42,000 detainees throughout the country, many of whom are being held in inhumane conditions. While efforts are under way to increase the capacity of the prisons, this can only be a partial solution unless detainees are brought to justice in a timely manner and according to basic international norms and standards. There are indications of a temporary lull in arrests in certain areas because of the overcrowding in the prisons. The Special Rapporteur has expressed regret that this policy was limited territorially and has suggested that it should apply generally to the whole country.

27. In its efforts to cope with the crisis arising from the forcible closure of internally displaced person camps in south-western Rwanda, the Field Operation reinforced its teams with the deployment of an additional 24 field officers to the principal affected areas of Gikongoro, Butare and Bugesera and appointed an

emergency coordinator in Butare. The Government of Rwanda and the international organizations concerned have been regularly briefed on the human rights situation in the communes of origin to which the internally displaced persons were returning. Throughout the crisis, the Field Operation encouraged the relevant government ministers to visit the affected areas. It also maintained close contacts with local authorities, with a view to improving access to villages by human rights field officers and facilitating the establishment of joint committees entrusted with the resettlement process.

28. The technical cooperation unit of the Field Operation has continued to develop its efforts to rehabilitate the justice system and rebuild civic society. Several specific projects have been initiated, in particular the sending of 50 international legal professionals to assist in the preparation of case files against those accused of having participated in the genocide. Another important effort is the provision of assistance to the Government of Rwanda to bring its legislation into closer conformity with international human rights law. The technical cooperation programme is also fostering human rights awareness in the country through the education of the military personnel, police, other government officials and the general public.

29. The Rwandan Government is considering the establishment of a national commission on human rights, as provided for under the Arusha peace agreements. Under these accords, the commission, which is composed of seven independent members serving for a three-year term, is expected to investigate human rights violations committed on Rwandan territory, including acts committed by organs or agents of the State.

VII. INTERNATIONAL TRIBUNAL FOR RWANDA

30. With the appointment of the Deputy Prosecutor of the International Tribunal for Rwanda, the process of investigating acts of genocide and other serious violations of international humanitarian law committed in Rwanda has begun. Investigations will be carried out inside and outside Rwanda, notably in other African countries, Europe and North America, covering 400 identified suspects, most of whom have sought refuge abroad. Under article 28 of the statute of the Rwanda Tribunal (see resolution 955 (1994), annex), States are under an obligation to cooperate with the International Tribunal and to comply with any of its requests, including the arrest or detention of persons and the surrender or transfer of suspects.

31. The Prosecutor's Office is currently recruiting investigators and prosecutors. In the meantime, Governments have begun to contribute the services of qualified personnel for short periods until such time as the Tribunal is fully staffed.

32. The Prosecutor's Office has been operating on the basis of a commitment authority of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) in the amount of $2.9 million, granted for the period from 1 January to 31 March 1995. The budgetary submission for the year 1995 will be presented to the General Assembly at its resumed forty-ninth session in June 1995. Pledges

and contributions to the Trust Fund for the International Tribunal currently amount to $1,034,959.

33. A United Nations mission recently visited the United Republic of Tanzania to discuss the technical and legal issues relating to the establishment of the seat of the International Tribunal at Arusha. The mission discussed the Tribunal's space requirements and negotiated headquarters and lease agreements. A report on this matter will be submitted to the Council shortly.

34. By resolution 989 (1995) of 24 April 1995, the Security Council established a list of 12 candidates for judges of the International Tribunal. On 25 May, six judges for the Trial Chambers were elected by the General Assembly. An extraordinary session of the Tribunal is scheduled for 26 June at The Hague to adopt its rules of procedure and evidence.

35. The Prosecutor for the International Tribunal, Judge Goldstone, paid his second visit to Rwanda from 18 to 20 May. He met with senior government officials and with my Special Representative and discussed practical arrangements for the functioning of the Tribunal. On 19 May, a one-day conference of donors was convened to discuss international support, especially funding, for the Tribunal. I wish to thank those Member States that have made voluntary contributions to the Trust Fund for the Tribunal and to appeal for continued and additional assistance to permit its effective operation.

VIII. HUMANITARIAN ASPECTS

36. Since my last report, the humanitarian community's efforts have been directed mainly at dealing with the consequences of the forced closure of internally displaced person camps in south-west Rwanda. The rapid and coordinated response of UNAMIR, the United Nations Rwanda Emergency Office, United Nations agencies, intergovernmental organizations, in particular the International Organization for Migration (IOM), and NGOs undoubtedly prevented greater casualties and suffering as a result of the internally displaced persons emergency. These efforts were undertaken in cooperation with several government ministries in Kigali and with the Butare and Gikongoro prefectures. Transportation assistance was provided by UNHCR, IOM, UNAMIR and NGOs to over 70,000 people; emergency medical facilities were set up to tend to the sick and wounded, mainly in Butare; way-stations and open relief centres, managed and supported by NGOs, served as first-aid points and provided food, water and other emergency items to the former occupants of internally displaced person camps.

37. Although the initial phase of the emergency has now passed, problems related to the closures remain to be solved. Initially, there were reports of former camp populations being beaten, stoned and harassed either en route to or in their home communes. Lately, following the increased presence in the home communes of UNAMIR and other international personnel, as well as intercessions by the Minister of Interior, some improvement in the assimilation of the internally displaced persons has been reported. However, the massive return of internally displaced persons, many of whom were forced to leave their possessions in the camps or were robbed on their way home, has placed heavy demands on the communes, many of which are already in fragile condition. There

is an increasingly urgent need for the international community to accelerate its rehabilitation assistance in the communes, particularly in those areas where the largest numbers of internally displaced persons have returned. In this respect, assessment teams, comprised of government officials, United Nations and NGO personnel, have visited most of the communes in the Butare prefecture to identify the pressing requirements and priority areas for intervention. In Kigali, through the Integrated Operations Centre jointly operated by the Government, the United Nations Rwanda Emergency Office, United Nations agencies, UNAMIR and NGOs, sectoral cells have been activated to ensure effective planning and coordination of rehabilitation activities.

38. Although the World Food Programme (WFP) and the International Committee of the Red Cross (ICRC) and some NGOs have begun food distribution to returning internally displaced persons and to other needy people in the communes, many people lack the means to produce food until the next agricultural season from September 1995 to January 1996. As a result, they will require food assistance, as well as seeds and tools for the next planting season. In addition to the returning internally displaced persons, other vulnerable groups will require sustained food aid for the foreseeable future. These include the "new" and "old" caseload returnees, many of whom have not yet been resettled and who therefore have no land to cultivate. Other vulnerable groups include hospital patients, orphans and unaccompanied children. During the month of May, WFP is planning to distribute 3,046 tons of cereals, 1,214 tons of pulses, 244 tons of oil and 85 tons of other food items to a total of 420,000 beneficiaries from the above-mentioned groups. Emergency non-food assistance, such as plastic sheeting, cooking pots, blankets, soap and clothing, has already been provided to former camp populations and will be continued.

39. Health facilities throughout the country need urgent rehabilitation and additional staff in order to ensure adequate delivery of health services, especially for returning internally displaced persons. Under its programmes of assistance to returnees, UNHCR is rehabilitating 8 district hospitals and 42 health centres in areas where returnees have settled in great numbers. Other health programmes include a training programme of the World Health Organization (WHO) for 20 health workers in epidemiological surveillance and epidemic control and another programme for 32 trainers elaborated by the Government, the United Nations Population Fund (UNFPA) and WHO on human immunodeficiency virus/acquired immunodeficiency syndrome prevention and safe motherhood.

40. For water and sanitation, the United Nations Children's Fund (UNICEF) is supporting the rehabilitation of the water supply system in the north-eastern part of the country, an area to which the majority of "old" caseload refugees from Uganda are returning with their herds of cattle. The construction of over 20 shallow wells in the area is under way and should be completed before the end of July to cater for the needs of over 20,000 people. In other areas of the country, approximately 150 springs will be tapped by 31 December 1995 in order to benefit some 30,000 people in three prefectures.

41. The closure of the camps has also increased the number of unaccompanied minors, many of whom were either left in the camps or found along the roads. UNICEF reports that there are nearly 2,000 unaccompanied minors, of whom

approximately 70 per cent are under the age of 5. Most are severely traumatized by their experiences and the UNICEF Trauma Unit is helping them.

42. In order to carry out projects that will enable people to have adequate access to health care, potable water, sanitation and education, as well as the means to resume agricultural activities, substantial funding from the donor community continues to be required. As I reported in April, the inadequate level of response to the consolidated inter-agency appeal for Rwanda and the subregion has hampered relief activities and the commencement of rehabilitation and reconstruction. As of 15 May, only $80 million had been pledged against a total requirement of $219 million for Rwanda. For the subregion, pledges amounted to $34 million against a total requirement of $587 million.

43. The total contributions actually received so far from government and private sources amount to $6.3 million only. Of this amount, the Netherlands has contributed more than $5.4 million for a UNDP programme to support the Government. Some resources have also been allocated specifically to the Ministry of Rehabilitation and Social Integration to facilitate emergency assistance to the communes. This includes the procurement of equipment and supplies for local administrative authorities and for the judicial system.

44. A number of events have raised concern about respect for the principles related to protection and treatment of refugees and internally displaced persons. At the end of March, the Tanzanian authorities closed their border with Burundi to thousands of asylum-seekers, including many Rwandan refugees who were fleeing camps in Burundi following disturbances in that country. There are also indications that some of the internally displaced persons fleeing the recent camp closures in Rwanda were not allowed into Burundi or were returned against their will to Rwanda after entering the country. The forcible closure of internally displaced person camps could create further obstacles to the voluntary return of refugees from neighbouring countries, as evidenced by the recent decrease in the number of organized voluntary repatriations from camps in Zaire.

45. The Rwandan Government's decision to close the border with Zaire to all traffic, including food destined to refugee camps in the Bukavu area of Zaire, has further complicated an already difficult supply and logistics chain. In both Goma and Bukavu, food distribution has dropped by as much as 50 per cent of normal requirements.

46. As regards security in the refugee camps in Zaire, I am pleased to report that the deployment of Zaire's security contingent has now reached its full strength of 1,500 men and that, as a result, security conditions in the camps have greatly improved. At the same time, discussions are continuing with the Zairian authorities on the possibility of relocating those camps that are situated too close to the border.

47. In this connection, I support the Security Council's recent invitation to States to deliver on their earlier financial commitments and to increase their assistance for humanitarian activities in Rwanda, as well as its call to all Governments in the region to maintain open borders for this purpose. I would also like to stress the Security Council's request to the Government of Rwanda

to facilitate the delivery and distribution of humanitarian assistance to refugees and displaced persons in conformity with international principles (S/PRST/1995/22).

IX. ADMINISTRATIVE AND FINANCIAL ASPECTS

48. The General Assembly, by its decision of 6 April 1995, authorized me to enter into commitments up to $19,342,000 gross ($18,989,000 net) for the period from 10 June to 9 July 1995, subject to the extension of the mandate of UNAMIR beyond 9 June 1995. Should the Council decide to extend the mandate of UNAMIR, I shall request the General Assembly at its resumed forty-ninth session to make adequate financial provision for the operation of the Mission.

49. As of 17 May 1995, unpaid assessments to the UNAMIR Special Account amounted to $70.1 million, and the total amount of outstanding assessed contributions for all peace-keeping operations amounted to $1,854.1 million.

X. CONCLUSIONS AND RECOMMENDATIONS

50. The Rwandan people have endured the most horrific and unspeakable suffering. The political goal of the United Nations in Rwanda is to assist them to achieve peace, stability and reconstruction in accordance with the principles of the Arusha peace agreements. This goal can be attained only if those who are guilty of genocide are brought to trial and if the leaders and people of Rwanda have the political will to achieve national reconciliation through mutual respect and understanding. The United Nations is prepared to continue its efforts to assist in this difficult process. UNAMIR has made a significant contribution to the relative stability and normalization achieved in Rwanda over the past year. However, the complex situation described in sections II and III above has led the Government of Rwanda to raise questions about the future role of this operation.

51. The current mandate of UNAMIR was designed at a time when Rwanda was in the midst of a devastating genocide and civil war. The main responsibility entrusted to UNAMIR under Security Council resolution 918 (1994) of 17 May 1994 was to contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda. The war and the genocide came to an end with the establishment of the present Government of Rwanda on 19 July 1994. Since that time, the situation has changed radically. The changes undoubtedly call for adjustments in the mandate of UNAMIR, so that its role can reflect the present situation.

52. In anticipation of the expiry of the mandate of UNAMIR on 9 June 1995, my Special Representative has engaged in extensive consultations with the Government of Rwanda, with a view to achieving a common understanding of the role that the United Nations could usefully play in the future. At the outset, the Government made it clear that it would insist on a sharp reduction both in the scope of UNAMIR's tasks and in troop levels.

53. During these consultations, my Special Representative discussed with the Government a new mandate comprising tasks which, in my judgement, should be performed by UNAMIR during the next six months. These tasks would continue to be carried out with full respect for the Government's sovereign authority. They would entail shifting the focus of UNAMIR's mandate from a peace-keeping to a confidence-building role. On this basis, UNAMIR would undertake the following tasks:

(a) Tasks specifically required to sustain a United Nations peace-keeping presence in Rwanda, mainly in Kigali. These would include the protection of United Nations premises, protection of International Tribunal personnel and, as required, of United Nations agencies and NGOs, including a ready reserve and the necessary command, control and support elements;

(b) Tasks aimed at assisting the Government of Rwanda in confidence-building and in the promotion of a climate conducive to stability and to the return of refugees and displaced persons. These would entail monitoring throughout the country with military/police observers, as a complement to human rights monitors; helping in the distribution of humanitarian assistance; facilitating the return and reintegration of refugees in cities and communes; providing assistance and expertise in engineering, logistics, medical care and demining; and stationing a limited reserve of formed troops in certain provinces. These troops would not undertake any patrolling duties but would assist in the performance of the above tasks, as required.

54. Following consultations with my Special Representative and the Force Commander, it is estimated that, in order to carry out these functions, UNAMIR would require approximately 2,330 formed troops, 320 military observers and 65 civilian police. This would constitute a substantial reduction from the present authorized strength of 5,500 troops, 320 military observers and 120 civilian police. The reduction would begin as soon as possible and be implemented gradually over the next two to three months, on the understanding that, after 9 June 1995, the infantry battalions currently deployed in the provinces would change over from their present tasks to those outlined above.

55. The proposed force would be structured along the following lines: an infantry battalion of 800 all ranks, based in Kigali and reinforced by essential support units such as headquarters staff (50), communications (50), engineering (200), medical (100), logistics (100) and military police (30). In addition, one independent infantry company would be deployed in each of the present UNAMIR sectors of operation. These 5 independent companies, totalling about 1,000 troops, would include elements from the support units or specialists, as required for specific humanitarian tasks.

56. However, during the consultations held with my Special Representative, the Rwandan Government proposed a different and more limited role for UNAMIR, arguing that the present conditions on the ground called for a drastic reduction in the number of United Nations troops. It took the position that most of the peace-keeping functions heretofore discharged by UNAMIR had become redundant. The concept of promoting security and confidence through the presence of UNAMIR could no longer be accepted, since the Government had assumed responsibility for national security throughout the country. The protection of humanitarian

convoys was also the responsibility of the Government and UNAMIR's role should be a monitoring one only. The issue of border monitoring was discussed, but the Government considered that there was no need for UNAMIR to play such a role in Rwanda. In addition, it expressed the view that the present training programme carried out by the UNAMIR civilian police component should be replaced by bilateral arrangements and could continue only until those arrangements were in place.

57. In short, the Rwandan Government has proposed that UNAMIR should be reduced to a maximum of 1,800 formed troops, to be deployed in Kigali as well as in the provinces. UNAMIR's mandate would be extended for six months, on the understanding that there would be no further extension and that steps to reduce UNAMIR troops outside Kigali should commence immediately.

58. An analysis of this proposal has indicated that, with a total of 1,800 formed troops, plus 65 civilian police, UNAMIR would not have the strength to perform adequately the tasks described in paragraph 53 above. While I understand the position of the Government of Rwanda, I am convinced that UNAMIR remains an essential component of the international community's efforts to assist the Government and people of Rwanda and that it must have the capability to discharge its functions effectively. At the same time, since UNAMIR is a peace-keeping operation established under Chapter VI of the Charter, its continued presence in Rwanda depends on the consent and active cooperation of the Government. I therefore intend to continue consultations with the Government of Rwanda and shall report orally to the Council on the outcome of these consultations before the Council decides on the future mandate of UNAMIR.

59. Subject to that report, I recommend that the Security Council renew the mandate of UNAMIR, adjusted to accommodate the tasks outlined in paragraph 53 above, for a period of six months, ending on 9 December 1995. During that period, my Special Representative would continue to exercise his good offices to facilitate, in consultation with the Government of Rwanda, the process of national reconciliation, in accordance with the principles set out in the Arusha peace agreements. UNAMIR, in cooperation with UNDP, United Nations agencies and NGOs, would also assist in the implementation of an integrated multifunctional plan of action in the field of rehabilitation, resettlement, repair of infrastructure and the revival of justice. The funds committed to such projects could be channelled by donor countries through the Rwanda Trust Fund, in order to allow for a prompt, flexible and efficient utilization of resources.

60. In accordance with the Nairobi Summit Declaration of January 1995, the Bujumbura Declaration of February 1995 and formal agreements signed by Rwanda, a major effort needs to be made to persuade the two million Rwandan refugees to return to their homes in safety and dignity. This should be without prejudice to effective action, under due process of law, against criminals accused of genocide, in accordance with Security Council resolution 978 (1995). In this connection, immediate steps should be taken by the international community to support the earliest activation of the International Tribunal and the rehabilitation of the Rwandan national system of justice. At the same time, effective measures should be taken to ensure that Rwandan nationals currently in neighbouring countries are not allowed to receive arms supplies or to undertake military activities aimed at destabilizing Rwanda. I am, in particular,

concerned that, unless more vigorous action is taken to prevent such activities, there could be a serious escalation in cross border clashes that would add a new dimension to the tragedy of Rwanda and lead to unpredictable consequences.

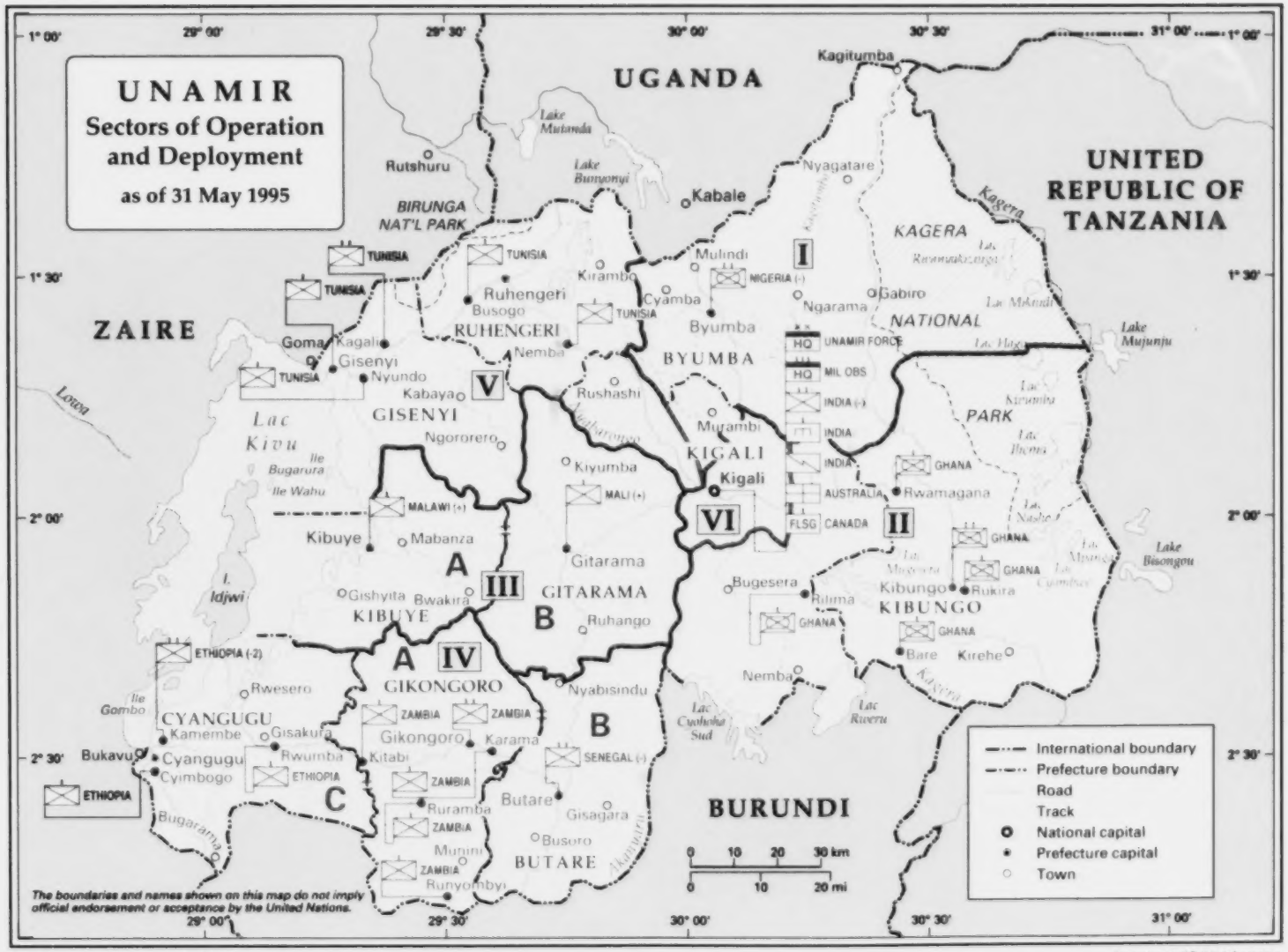
61. The implementation of the steps mentioned in paragraphs 59 and 60 above will contribute to peace and security in Rwanda. However, much more needs to be done. International assistance to Rwanda needs to be accelerated if the vital institutions in the country are to have any chance of recovering. It is essential that we find ways to improve the procedures that have delayed the disbursement of assistance to resolve situations that require priority attention. With respect to the long-term solution of the refugee and related problems in the Great Lakes States, I intend to appoint a special envoy to carry out consultations with countries concerned, as well as OAU, on the preparation and convening of the Regional Conference on Security, Stability and Development at the earliest possible time.

62. In concluding this report, I wish to express my appreciation to my Special Representative, Mr. Shaharyar Khan, to the Force Commander, Major General Guy Tousignant, and to all UNAMIR military and civilian personnel for their outstanding contribution to the United Nations and to the cause of peace and stability in Rwanda.

Annex

Composition of UNAMIR as of 31 May 1995

Country	Military personnel			Civilian police	Grand total
	Troops	Observers	Total		
Argentina		1	1		1
Australia	302		302		302
Austria		15	15		15
Bangladesh	1	36	37		37
Canada	105	19	124		124
Chad	2		2		2
Congo		8	8		8
Djibouti			0	7	7
Ethiopia	834		834		834
Fiji		1	1		1
Germany			0	9	9
Ghana	784	35	819	10	829
Guinea		17	17		17
Guinea-Bissau		2	2	5	7
India	934	20	954		954
Jordan			0	3	3
Malawi	183	14	197		197
Mali	198	31	229	10	239
Nigeria	339	17	356	10	366
Poland		2	2		2
Russian Federation		17	17		17
Senegal	238	2	240		240
Tunisia	834	10	844		844
United Kingdom of Great Britain and Northern Ireland	1		1		1
Uruguay		26	26		26
Zambia	831	20	851	10	861
Zimbabwe		24	24		24
Total	5 586	317	5 903	64	5 967



Map No. 3807.1 Rev. 10 UNITED NATIONS
May 1995

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UNITED
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Security Council

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4 June 1995

ORIGINAL: ENGLISH

FOURTH PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS ANGOLA VERIFICATION MISSION (UNAVEM III)

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 7 of Security Council resolution 976 (1995) of 8 February 1995, in which the Council requested me to inform it monthly of progress in the deployment of the United Nations Angola Verification Mission (UNAVEM III) and in the implementation of the Lusaka Protocol (S/1994/1441, annex). It covers the main developments since my last report, dated 3 May (S/1995/350).

II. POLITICAL SITUATION

2. During the period under review, my Special Representative, Mr. Alioune Blondin Beye, continued his efforts to facilitate the implementation of the Lusaka Protocol and to consolidate the recent progress achieved on the political and military fronts. With the active support of the representatives of the three observer States (United States of America, Portugal and Russian Federation), he maintained frequent contacts with the President of Angola, Mr. José Eduardo dos Santos, and with Mr. Jonas Savimbi, President of the União Nacional para a Independência Total de Angola (UNITA), with a view to convening a long-awaited meeting between them. He also travelled to Zaire to meet with President Mobutu Sese Seko and to Zambia for consultations with President Frederick Chiluba.

3. President dos Santos and Mr. Savimbi met in Lusaka on 6 May 1995. In their discussions, they covered all aspects of the peace process and pledged their cooperation to consolidate peace in Angola and to implement the provisions of the Lusaka Protocol. They also agreed that their next meeting would take place in Luanda, at an unspecified date. In preparation for such a meeting, two senior officials of the Angolan Government visited Mr. Savimbi on 25 May in Bailundo.

4. On 10 May 1995, I wrote to President dos Santos and to Mr. Savimbi to congratulate them on their successful meeting. At the same time, I expressed the hope that some of the issues raised in Lusaka would be resolved at their

next meeting so that the pace of the peace process could be accelerated. I assured President dos Santos and Mr. Savimbi that the United Nations remained ready to support their efforts to bring lasting peace and reconciliation to Angola. I also wrote to President Chiluba of Zambia to express my appreciation for his efforts in making that important meeting possible. My Special Representative travelled to Zimbabwe and South Africa to brief Presidents Robert Mugabe and Nelson Mandela on the new impetus the meeting had given to the peace process.

5. The Joint Commission has continued to monitor major political, military and humanitarian developments relating to the implementation of the Lusaka Protocol. At its most recent special meeting held on 18 May in the city of Lobito, the Commission focused on the opening of roads throughout the country and the free circulation of persons and goods. In a gesture to demonstrate that a major road was now safe for travel, the members of the Commission, including my Special Representative, travelled to and from Lobito by road, an event that was warmly welcomed by the population.

6. In another positive development, the Government released through the International Committee of the Red Cross (ICRC) over 200 UNITA prisoners who, according to their wishes, were either reunited with their families or sent to UNITA headquarters in Bailundo.

7. I am also pleased to report that, pending the establishment of an independent United Nations radio station, UNAVEM has started broadcasting an information programme, "Os Caminhos da Paz", over radio and television facilities made available by the Government of Angola. In the meantime, the Mission has requested the Government to allocate frequencies for the UNAVEM radio.

III. MILITARY AND POLICE MATTERS

8. After consideration of my third progress report (S/1995/350), the Security Council, in its presidential statement of 3 May (S/PRST/1995/27), noted with satisfaction the progress made in the implementation of the Lusaka Protocol concerning, inter alia, the reduction of cease-fire violations, disengagement of forces, cooperation between the parties and UNAVEM III and other positive developments. At the same time, the Council expressed its concern at the slow progress made in several areas. It stressed the necessity for increased cooperation by the Government and UNITA with the United Nations in carrying out all major provisions of the Lusaka Protocol and the relevant Security Council resolutions. It also underlined the urgency of the mine-clearance programme and emphasized that urgent attention should be given to the quartering of UNITA soldiers, as well as to the withdrawal of government troops to their barracks.

9. During the period under review, the cease-fire in Angola continued generally to hold. The number of cease-fire violations has further decreased and no major incidents were reported. This is a source of particular satisfaction. At the same time, both parties continued to register complaints of small-scale attacks, aggressive patrolling, raids and the harassment of civilians, while, in some areas, the Government reportedly distributed arms to

its civil defence personnel. Despite considerable progress, the second phase of disengagement, which covers the provinces of Lunda Norte, Lunda Sul and Moxico, has not been fully completed. UNAVEM has been making every effort to resolve this issue, both locally and within the context of the Joint Commission.

10. In the meantime, at its fifteenth regular session on 11 May, the Joint Commission formally approved a decision to the effect that, after the demobilization of government and UNITA troops, the future strength of the Forças Armadas Angolanas would be 90,000 soldiers, 74,000 of whom would be ground troops provided in equal numbers by the two parties. The national defence force would also comprise air and naval forces of 11,000 and 5,000 troops, respectively. UNAVEM is continuing to encourage the Government and UNITA to reach the earliest possible solution for demobilization, including agreement on a timetable. It is evident that the entire exercise will require extensive preparations, as the integrated armed forces will require from the Government adequate accommodation, food, clothing, transportation and other essential supplies and services.

11. My Special Representative has received a letter from the UNITA leadership providing additional details of the strength of their forces. This will no doubt facilitate the formation of the Angolan armed forces. It is important to initiate as soon as possible an exchange of information between the parties on their military equipment and military installations.

12. A plan has been finalized to address mine-clearance requirements for the deployment of UNAVEM infantry troops and other essential functions of the Mission. Within this framework, UNAVEM has strongly urged the Government and UNITA to expedite mine-clearance operations throughout the country, a responsibility that they undertook at the signing of the Lusaka Protocol. Demining operations have been initiated in various parts of the country, and the Government has pledged US$ 3 million for mine-clearance activities, in particular for the urgent purchase of necessary equipment. I trust that United Nations programmes and agencies in Angola, as well as NGOs, will extend all necessary cooperation to the Mission in this endeavour. This effort will be supplemented in the coming months by the Central Mine Action Training School which is to be established by the United Nations.

13. Another obstacle preventing the free circulation of the population and the prompt deployment of United Nations troops is the damaged condition of roads and bridges. While the Government has begun a major bridge repair programme, it is necessary to increase UNAVEM's capacity to provide the necessary engineering support for movement of its troops. To this end, I intend to strengthen the military component of UNAVEM by adding two specialized engineering companies, within the Mission's authorized strength of 7,000 military personnel.

14. The Assistant Secretary-General for Planning and Support in the Department of Peace-keeping Operations, Lieutenant-General Manfred Eisele, visited Angola from 10 to 15 May 1995 to discuss with my Special Representative, representatives of the Government and UNITA, major problems related to the induction of United Nations troops and to assess the situation on the ground. General Eisele's recommendations have confirmed the need to consolidate recent

progress in the establishment of UNAVEM III and to adjust the deployment schedule of infantry units.

15. The United Nations logistic battalion deployed in Lobito/Catumbela and Luanda has become fully operational and has undertaken preparations for the establishment of logistic bases and the deployment of follow-up units. In addition, an engineer squadron, a signals unit, a field hospital and advance parties of several other units have been deployed to Angola. According to the revised timetable, the first infantry battalion is expected to arrive in Angola during the first week of June, deployment of the second is planned for the first half of July, and the third in the second half of July. The further dispatch of United Nations infantry will depend on the progress made by the parties in opening up major access roads and in mine clearance. In order to assist in this process, UNAVEM III is making contractual arrangements with a private company for the mine verification of certain segments of deployment routes. In the meantime, deployment of infantry battalions to the eastern part of the country will be organized as a combined land/air operation. An additional unforeseen complication was the decision of a Member State that had initially indicated its willingness to contribute an infantry battalion to UNAVEM to withdraw its offer; the Secretariat is actively pursuing the identification of a suitable replacement. In the meantime, having consulted the two parties, UNAVEM is preparing for the establishment of another 7 team sites, in addition to the 60 that already exist.

16. As of 30 May, 210 civilian police observers from 19 countries have been deployed to 29 UNAVEM team sites, including the 6 regional headquarters. They continue to monitor the activities of the national police, visit detention centres and liaise with local authorities. They have received differing degrees of support from the Angolan national police in various parts of the country. Although this cooperation has been encouraging in most areas, there is still considerable room for improvement in others, as some police authorities claim that they have not received instructions to grant the United Nations unrestricted access to police facilities or to provide it with all information in accordance with the Lusaka Protocol. There has been little progress so far in quartering the Government's rapid reaction police, which is due mainly to delays in making adequate barracks available.

17. On several occasions in the past, the attention of the Security Council has been drawn to the precarious security situation in Angola. There has recently been an increase in acts of banditry against the civilian population, including international staff. On 15 May, a senior UNAVEM police observer from Argentina was shot and killed in Luanda in an apparent act of banditry. I strongly deplore this murder. My Special Representative has conveyed my deep concern to President dos Santos, who promised to investigate the incident vigorously and to take additional measures to enhance the security of United Nations and other international personnel. At the same time, UNAVEM III has also tightened security arrangements for its staff.

IV. HUMANITARIAN SITUATION

18. The recent political progress has also given a new impetus to humanitarian activities in support of the peace process. It is hoped that the opening of priority roads can now proceed at an accelerated pace, with effective mine clearance being a crucial factor, and that arrangements for demobilization can be completed expeditiously. It is evident, however, that a more reliable flow of voluntary resources will be required from the international community to assist Angola in its transition from a state of war and economic dissolution to rehabilitation and reconstruction.

19. During the past month, progress was made in opening cost-efficient overland routes for the delivery of humanitarian assistance. The World Food Programme (WFP) was able to send its first convoy from Luanda to N'dalatando, the capital of Kwanza Norte province, and airlifts of food to this city were discontinued. Road and bridge rehabilitation on this route is proceeding further eastward, thus opening prospects for overland deliveries to Malange as well.

20. Since my last report, several mine incidents have taken place, the most serious near Kuito, where non-governmental organizations (NGOs) provided crucial life-saving support to the victims. Meanwhile, NGOs specialized in mine clearance continue to clear the areas in and around major towns and the Norwegian People's Aid has initiated a mine survey in the northern provinces. Mine-awareness and avoidance programmes for internally displaced persons and refugees have been initiated, with the United Nations Children's Fund (UNICEF) and the Office of the United Nations High Commissioner for Refugees (UNHCR) assuming lead roles under the coordination of the Central Mine Action Office established within the Humanitarian Assistance Coordination Unit. The statutes of the Angolan National Mine Action Institute are being finalized, and it is expected that this organization will soon begin operations.

21. The Demobilization and Reintegration Office of the Humanitarian Assistance Coordination Unit has conducted interviews with a representative sample of combatants (300 each from the Angolan armed forces and UNITA) for its survey on the social and economic expectations of Angolan soldiers. The study focuses on three main themes: expectations of the peace process; socio-economic expectations; and cultural and educational profiles of the soldiers. Preliminary findings have shown a marked interest in a speedy demobilization and willingness to cohabit with former soldiers of the opposing side. The final report on the survey is under preparation.

22. Staff of the Demobilization and Reintegration Office have visited Bailundo for discussions with UNITA on health programmes for the quartering phase. The Office has also participated with UNAVEM III in the assessment of sites for the quartering areas. Meanwhile, the statutes of the Angolan Institute for Reintegration, to be set up within the Ministry of Social Affairs and Social Reinsertion, are being finalized. The demobilization and reintegration components of the 1995 United Nations humanitarian appeal for Angola are being revised to take account of the recent agreement between the Government and UNITA on the incorporation of UNITA forces into the national army.

23. Humanitarian agencies have registered an improvement in nutritional conditions in a few areas, which allowed them to suspend general food distribution in those areas. However, overall food aid requirements are still considerable. According to the preliminary findings of a recent Food and Agriculture Organization of the United Nations (FAO)/WFP crop assessment mission, the 1994/95 harvest is far below normal expectations, the likely consequence being that extensive food aid will still be required throughout 1995. Based on the current pattern of food pledges and deliveries, WFP may face a major disruption in supply as early as July. This could jeopardize delivery to the quartering areas, where the provision of food is a key element.

24. I regret to inform the Security Council that, in the non-food sectors, the response to the 1995 United Nations humanitarian appeal has yielded only 3 per cent of required assistance. Delays in the confirmation of pledges announced at the donors' meeting in February 1995 may put all humanitarian programmes in Angola at risk, with dramatic consequences for the civilian population. I once again urge the international community to support United Nations agencies and NGOs in addressing the critical needs of the Angolan people.

V. OBSERVATIONS

25. Since I last reported to the Council, the implementation of the Lusaka Protocol has entered a new and promising phase. The long-awaited meeting between President dos Santos and Mr. Savimbi was a major breakthrough that is expected to provide the additional impetus necessary to move the peace process forward. Early agreement on the proposals currently under discussion between the President of Angola and the leader of UNITA, followed by concrete actions, will further strengthen the Lusaka peace process. I have strongly encouraged President dos Santos and Mr. Savimbi to pursue actively the issues discussed at their last meeting and, as agreed, to convene a second meeting in Luanda as soon as possible.

26. The overland trip to Lobito by the members of the Joint Commission constituted another important development. It had a positive psychological impact on the population and enhanced confidence in the peace process. Arrangements are being made by my Special Representative for a similar visit in early June to the town of Negage, currently under UNITA control.

27. The deployment of United Nations infantry battalions must be matched by even greater cooperation by the Government and UNITA with the United Nations in implementing all major provisions of the Lusaka Protocol. While much progress has recently been achieved, it is necessary to remind the parties that the peace process is behind schedule and that major efforts will be required to make up for the delays. Recent actions on the part of the Government and UNITA to initiate mine clearance and road rehabilitation must be reinforced, bearing in mind the pressing need to accelerate the free circulation of people and goods throughout the country and to facilitate the deployment inland of United Nations troops. Once again, I urge the international community to support these vital efforts, in particular by providing the equipment needed.

28. I also urge the parties to work out modalities for the formation of the new integrated armed forces and to begin preparations for the demobilization of UNITA troops and withdrawal of government forces to barracks, tasks which will present a formidable challenge for all involved. Movement in this direction should be reinforced by additional confidence-building measures. It is, in particular, important for both parties to begin a comprehensive civilian disarmament campaign throughout the country, to be monitored and supported by the United Nations. The wide proliferation of weapons among civilians threatens security and could undermine the gains achieved through the peace process.

29. It is incumbent on the Government and UNITA to guarantee the safety and security of all United Nations personnel in Angola, in order to avoid tragic incidents such as the one in which a United Nations police observer lost his life. This is an essential condition for the deployment of international staff to various parts of Angola and for the success of United Nations operations in the country.

30. As the peace process gathers momentum, the role of humanitarian assistance in sustaining and consolidating the peace acquires additional importance. In my report proposing the establishment of UNAVEM III (S/1995/97), I emphasized that many humanitarian activities related to the peace process, including crucial programmes in demining and demobilization of troops, relied in large part on voluntary contributions for funding. It is distressing that, of the resources solicited in the 1995 humanitarian appeal for Angola, only 15 per cent has been received to date. I appeal to the international community to replenish the humanitarian stocks for Angola as a matter of urgency. The positive developments reported above should encourage donors to be more forthcoming in providing support to essential programmes.

Annex

UNAVEM III military and civilian police personnel

(as of 30 May 1995)

Country	Military observers	Civilian police officers	Military medical personnel	Staff officers	Troops	Total
Algeria	10					10
Argentina	2	2				4
Bangladesh	10	11				21
Brazil	19	17	11			47
Bulgaria	10	10				20
Congo	8					8
Egypt	10	10				20
Fiji		8				8
France	8					8
Guinea-Bissau	20	6				26
Hungary	10	15				25
India	20	19		2	214	256
Jordan	21	20				41
Kenya	10					10
Malaysia	20	20				40
Mali	10	7				17
Morocco		2				2
Netherlands	15	10				25
New Zealand	5					5
Nigeria	21	15				36
Pakistan	5					5
Norway	4					4
Poland	7					7
Portugal	8	1		20	101	130
Romania				27	110	137
Russian Federation	10					10
Senegal	10					10
Slovakia	5					5
Sweden	20					20
United Kingdom of Great Britain and Northern Ireland				8	659	667
Uruguay	10	9		29	80	128
Zambia	10	10				20
Zimbabwe	21	17	—	3		41
Total	339	210	11	89	1 164	1 813

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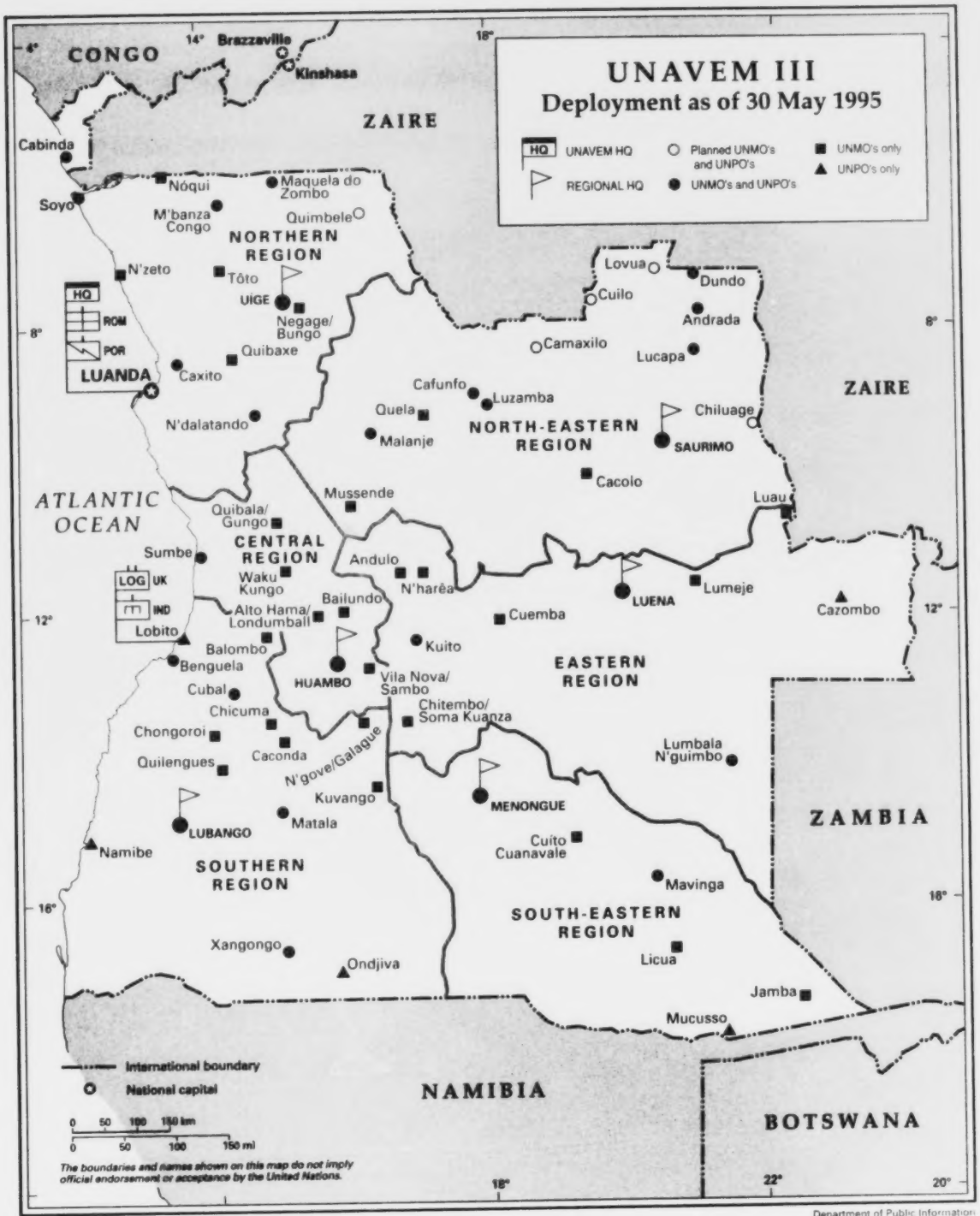

Map No. 3881 Rev. 3 UNITED NATIONS
May 1995

Department of Public Information
Cartographic Section

UNITED
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Security Council

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S/1995/459
5 June 1995
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 2 JUNE 1995 FROM THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

As a representative of the State which presides over the statutory bodies of the Commonwealth of Independent States (CIS), I have the honour to transmit herewith the texts of the decision on the extension of the length of stay of the Collective Peace-keeping Forces in the Republic of Tajikistan (annex I), the decision on the extension of the length of stay of the Collective Peace-keeping Forces in the conflict zone in Abkhazia, Republic of Georgia (annex II), the decision on a more precise definition and extension of the mandate of the Collective Peace-keeping Forces in the conflict zone in Abkhazia, Republic of Georgia (annex III), and the statement by the Council of Heads of State of the Commonwealth of Independent States concerning the conflict in Abkhazia, Republic of Georgia (annex IV), adopted by the heads of the States members of CIS in Minsk on 26 May 1995.

I should be grateful if this letter and the annexes to it were circulated as a document of the Security Council.

(Signed) S. LAVROV

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Annex I

Decision on the extension of the length of stay of the Collective Peace-keeping Forces in the Republic of Tajikistan

The Heads of the States taking part in this decision,

Guided by paragraph 2 of the decision on the establishment of collective peace-keeping forces and the commencement of their operation of 24 September 1993,

Noting the stabilizing role of the Collective Peace-keeping Forces situated in the territory of the Republic of Tajikistan in preventing large-scale armed clashes and ensuring safe and tranquil living conditions for the civilian population,

In connection with the appeal by the President of the Republic of Tajikistan to extend the length of stay of the Collective Peace-keeping Forces in the territory of that Republic,

Have decided:

1. To extend until 31 December 1995 the length of stay of the Collective Peace-keeping Forces in the Republic of Tajikistan;

2. To recommend that the leaders of the Republic of Tajikistan should take immediate steps to bring about a political settlement of the situation in the Republic.

DONE at Minsk on 26 May 1995 in one authentic copy in the Russian language. The authentic copy shall be kept in the Executive Secretariat of the Commonwealth of Independent States, which shall send to each State that has signed this decision its certified copy.

For the Republic of Armenia
L. TER-PETROSYAN

For the Azerbaijan Republic

For the Republic of Belarus
A. LUKASHENKO

For the Republic of Georgia
E. SHEVARDNADZE

For the Republic of Kazakstan
N. NAZARBAEV

For the Kyrgyz Republic
A. AKAEV

For the Republic of Moldova

For the Russian Federation
B. YELTSIN

For the Republic of Tajikistan
E. RAKHMONOV

For Turkmenistan

For Ukraine

For the Republic of Uzbekistan
A. KARIMOV

Annex II

Decision on the extension of the length of stay of the Collective Peace-keeping Forces in the conflict zone in Abkhazia, Republic of Georgia

The Council of Heads of State of the Commonwealth of Independent States,

Expressing concern, in connection with the protracted nature of the final settlement of the conflict in Abkhazia, Republic of Georgia,

Upholding steadfastly the territorial integrity of the Republic of Georgia,

Noting the stabilizing role of the Collective Peace-keeping Forces in preventing armed clashes, ensuring the safety of the population and creating the appropriate conditions for continuing the Georgian-Abkhaz dialogue,

Taking into consideration the request by the Abkhaz side of 12 April 1995 and by the Georgian side of 20 April 1995 to extend the length of stay of the Collective Peace-keeping Forces in the conflict zone,

Taking into account the readiness of the parties to the conflict to continue the political dialogue for settling the conflict,

Have decided:

To extend the length of stay of the Collective Peace-keeping Forces in the conflict zone in Abkhazia, Republic of Georgia, until 31 December 1995.

This decision shall enter into force at the time of its signature.

DONE at Minsk on 26 May 1995 in one authentic copy in the Russian language. The authentic copy shall be kept in the Executive Secretariat of the Commonwealth of Independent States, which shall send to each State that has signed this decision its certified copy.

For the Republic of Armenia
L. TER-PETROSYAN

For the Azerbaijan Republic
G. ALIEV

For the Republic of Belarus
A. LUKASHENKO

For the Republic of Georgia
E. SHEVARDNADZE

For the Republic of Kazakstan
N. NAZARBAEV

For the Kyrgyz Republic
A. AKAEV

For the Republic of Moldova

For the Russian Federation
B. YELTSIN

For the Republic of Tajikistan
E. RAKHMONOV

For Turkmenistan

For Ukraine

For the Republic of Uzbekistan
A. KARIMOV

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Annex III

Decision on a more precise definition and extension of the mandate of the Collective Peace-keeping Forces in the conflict zone in Abkhazia, Republic of Georgia

The Council of Heads of State of the Commonwealth of Independent States has decided:

1. To define more precisely the mandate of the Collective Peace-keeping Forces in the conflict zone in Abkhazia, Republic of Georgia (the new wording of the mandate is attached in an annex).

2. To extend the period of validity of that mandate until 31 December 1995.

DONE at Minsk on 26 May 1995 in one authentic copy in the Russian language. The authentic copy shall be kept in the Executive Secretariat of the Commonwealth of Independent States, which shall send to each State that has signed this decision its certified copy.

For the Republic of Armenia
L. TER-PETROSYAN

For the Azerbaijan Republic
G. ALIEV

For the Republic of Belarus
A. LUKASHENKO

For the Republic of Georgia
E. SHEVARDNADZE

For the Republic of Kazakstan
N. NAZARBAEV

For the Kyrgyz Republic
A. AKAEV

For the Republic of Moldova

For the Russian Federation
B. YELTSIN

For the Republic of Tajikistan
E. RAKHMONOV

For Turkmenistan

For Ukraine

For the Republic of Uzbekistan
A. KARIMOV

Enclosure

Mandate of the Collective Peace-keeping Forces in the conflict zone in Abkhazia, Republic of Georgia

In accordance with the decisions of the Council of Heads of State of the Commonwealth of Independent States (CIS) concerning the use of the Collective Peace-keeping Forces, a peace-keeping operation is being conducted in the conflict zone in Abkhazia, Republic of Georgia.

The tasks assigned to the Collective Peace-keeping Forces with respect to the separation of the armed forces of the parties to the conflict and a cease-fire on land, at sea and in the air have been implemented.

CIS peace-keeping troops and military observers of the United Nations Observer Mission in Georgia have been deployed in the conflict zone.

In accordance with the Agreement on a Cease-fire and Separation of Forces of 14 May 1994, a security zone, a restricted weapons zone and a control zone have been established, in which specific levels of armaments and personnel have been agreed and determined.

The Collective Peace-keeping Forces will implement the tasks entrusted to them in pursuit of a comprehensive settlement of the conflict in Abkhazia, Republic of Georgia, particularly by facilitating the return of refugees to their former places of permanent residence in conditions of safety and dignity and by ensuring observance of the norms of international humanitarian law and human rights; assistance in mine clearance will also continue to be provided.

1. In accordance with the decision of the Council of Heads of State concerning the definition and extension of the mandate of the Collective Peace-keeping Forces in the conflict zone in Abkhazia, Republic of Georgia, the duration of the operation shall be extended from 26 May 1995 until 31 December 1995.

The duration of the mandate may be extended by a decision of the Council of Heads of State of the Commonwealth of Independent States.

2. Troops and resources shall be assigned to the Collective Peace-keeping Forces to enable them to implement the decision taken by the Council of Heads of State of the Commonwealth of Independent States on 21 October 1994 to reaffirm the mandate for the deployment of a peace-keeping operation in the Georgian-Abkhaz conflict zone.

3. A Group of Military Observers shall be established to monitor compliance with the obligations assumed by the parties under the Agreement on a Cease-fire and Separation of Forces of 14 May 1994.

4. From the time of adoption of the decision to assign troop contingents to the Collective Peace-keeping Forces and the Group of Military Observers until their arrival in the conflict zone, the States deploying the contingents and observers shall be responsible for the training of personnel, the provision of

material resources and technical equipment and the defrayal of expenses, including the cost of transport to the area of the operation.

5. The Collective Peace-keeping Forces and the Group of Military Observers shall be assigned the tasks specified in the decisions of the Council of Heads of State of the Commonwealth of Independent States, other instruments adopted by the Commonwealth of Independent States concerning peacemaking activities, the Agreement on a Cease-fire and Separation of Forces of 14 May 1994 and the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons of 4 April 1994, that is to say:

(a) Ensuring strict observance of the cease-fire, the restoration of peace and the prevention of a renewed outbreak of hostilities in the conflict zone through separation of the armed units of the parties to the conflict;

(b) Facilitating the return to their former places of permanent residence, in conditions of safety and dignity, of persons who left the conflict zone and the implementation of other provisions of the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons of 4 April 1994, including the activities of the Quadripartite Commission set up in accordance with the above-mentioned Agreement;

(c) Monitoring compliance by the parties with the agreements reached between them, in particular the provisions of the Memorandum of Understanding of 1 December 1993, the communiqué on the second round of negotiations of 13 January 1994, the Declaration on Measures for a Political Settlement of the Georgian-Abkhaz Conflict of 4 April 1994, the Agreement on a Cease-fire and Separation of Forces of 14 May 1994 and any other agreements reached by the parties in the process of achieving a comprehensive political settlement;

(d) Supporting the reconstruction of areas affected by the hostilities through, inter alia, humanitarian assistance, mine clearance and the reconstruction of the population's basic life-support systems;

(e) Ensuring the safety of such key life-support installations as the Inguri hydroelectric power station and others;

(f) Ensuring compliance with the norms of international humanitarian law and human rights;

(g) Cooperating closely with the personnel of the United Nations Observer Mission in Georgia and other United Nations personnel in the region;

(h) Exercising control over the disbandment and withdrawal of all voluntary armed units composed of persons coming from beyond the borders of Abkhazia;

(i) Exercising control over heavy military equipment, in cooperation with the United Nations Observer Mission in Georgia.

By decision of the Commander of these forces and following agreement with the leadership of the two parties to the conflict, the Collective Peace-keeping

Forces and the Group of Military Observers may also address other tasks in the course of the operation in the conflict zone, seeking through such initiatives to promote and strengthen peace between the opposing sides.

6. The Commander of the Collective Peace-keeping Forces in the conflict zone (hereinafter referred to as the Commander) shall be under the authority of the Council of Heads of State of the Commonwealth of Independent States. In respect of questions requiring a rapid decision, he shall consult with the Chairman of the Council of Ministers for Foreign Affairs of the States members of the Commonwealth and the Chairman of the Council of Ministers of Defence of the States Members of the Commonwealth of Independent States, directly supervise the conduct of peace-keeping operations and be the direct head of the entire personnel of the Collective Peace-keeping Forces.

7. The States members' military contingents assigned to the Collective Peace-keeping Forces and the Group of Military Observers shall come under the authority of the Commander upon their arrival in the area of the operation and notification by the commanders (heads) of those contingents concerning their arrival.

8. A unified headquarters with subdivisions for security, communications, supplies and maintenance staffed by the armed forces of the States participating in the operation shall be established in order to direct the Collective Peace-keeping Forces and the Group of Military Observers.

The Commander shall determine the structure of the unified headquarters and the support subdivisions. He shall have the right to make the necessary changes in the structure of the headquarters within the limits of the number of personnel provided.

9. The duties of the Commander of the Collective Peace-keeping Forces shall include:

Implementation of decisions by the Council of Heads of States of the Commonwealth on the conduct of the peace-keeping operation in the conflict zone;

Submission of reports to the heads of State, Ministers for Foreign Affairs and Ministers of Defence on the fulfilment of the tasks assigned to the Collective Peace-keeping Forces and observance by the parties to the conflict of the agreements relating to the operation;

Supervision of the Collective Peace-keeping Forces and the Group of Military Observers in the preparation and conduct of the peace-keeping operation in the conflict zone;

Organization and supervision of the training of subordinate headquarters' staff and the units and sub-units of the Collective Peace-keeping Forces and the Group of Military Observers;

Organization and maintenance of cooperation with the leaders of the receiving State and the parties to the conflict, the Ministries of Defence of the States participating in the operation and the headquarters in coordinating

military cooperation by the States members of the Commonwealth of Independent States and the local authorities with the United Nations Observer Mission in Georgia (UNOMIG) and the representatives of the Organization for Security and Cooperation in Europe and the other international organizations in the conflict zone;

Holding of negotiations with the representatives of the parties to the conflict;

Maintenance of communication and the holding of official meetings between representatives of the parties to the conflict and ensuring their security;

Administration of the financial, material and technical resources allocated for maintaining the Collective Peace-keeping Forces and the Group of Military Observers.

10. Throughout the entire period in which the peace-keeping operation is conducted in the conflict zone, the States which have sent military contingents to the zone shall provide their personnel with the entitlements, compensation, increments and allowances provided for under the legislation in force in those States.

11. The military contingents assigned to the Collective Peace-keeping Forces in the conflict zone and the Group of Military Observers shall respect and observe the provisions of the Agreement on Military Observer Groups and Collective Peace-keeping Forces in the Commonwealth of Independent States of 20 March 1992 and the Protocols of 15 May 1992 on the status of military observer groups and collective peace-keeping forces in the Commonwealth of Independent States; the staffing, structure and logistic and financial support of the military observer group and the collective peace-keeping forces in the Commonwealth of Independent States; and the provisional arrangements for the formation and deployment of military observer groups and collective peace-keeping forces in areas of conflict between and within the States members of the Commonwealth of Independent States and shall also observe and respect the Geneva Conventions of 12 August 1949 for the protection of war victims and the Protocols additional to them of 8 June 1977 and the Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954.

Annex IV

Statement by the Council of Heads of State of the Commonwealth of Independent States concerning the conflict in Abkhazia, Republic of Georgia

Over 18 months have gone by since the process of a comprehensive settlement of the armed conflict in Abkhazia, Republic of Georgia, began. Despite the peacemaking efforts of the Russian Federation and the Commonwealth of Independent States (CIS) as a whole, and also of the United Nations and the Organization for Security and Cooperation in Europe (OSCE), this process is far from complete.

The conflict has caused the deaths of thousands of people, mostly civilians. Over 300,000 people have been forced to leave their homes. Almost the entire Georgian population, constituting 47 per cent of the inhabitants of Abkhazia, is now outside the borders of Abkhazia.

In a special resolution, the Budapest summit meeting of OSCE expressed grave concern about ethnic cleansing, the mass expulsion of the population - primarily Georgian - from their homes and the deaths of a large number of innocent civilians.

In its resolution 993 (1995), the United Nations Security Council noted the continued obstruction of the return of refugees and displaced persons by the Abkhaz authorities.

The Council of Heads of State of CIS supports the measures taken by the Russian Federation to settle the conflict in Abkhazia and is prepared to provide whatever assistance it can in this respect. The Council is convinced that the extension of the mandate of the peace-keeping forces in Abkhazia with the amendments made to it will create the necessary conditions for the safe, voluntary and dignified return of all refugees and displaced persons at an early date and will contribute to a comprehensive settlement of the conflict in Abkhazia. The Council believes that, as the settlement is put into effect, fundamental human rights, regardless of nationality, origin and religious or other affiliation, must be respected.

The elimination of this conflict and of its consequences would be a significant achievement for multiethnic Georgia, a victory for the reason and maturity of the Commonwealth, and a major contribution to stabilizing the situation in Transcaucasia and throughout CIS.

The Council of Heads of State:

1. Affirming its commitment to the territorial integrity of the Republic of Georgia, advocates that the talks should be continued and brought to an early conclusion and calls upon the parties to the conflict to strive for a comprehensive settlement of it within the framework of a unified federative State.

2. Welcomes the readiness of the Republic of Georgia to hold consultations on its new Constitution, which would be the basis for an appropriate resolution of all the contentious issues of State organization.

3. Upholds the need to implement its decision to send observers from its countries to the conflict zone in Abkhazia.

4. Guided by the provisions of the Almaty memorandum of 10 February 1995 on overcoming the threat of separatism, considers that the strict observance of these provisions by all States members of the Commonwealth is a vital condition for an early settlement of the conflict.

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5 June 1995
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 5 JUNE 1995 FROM THE PERMANENT REPRESENTATIVE OF KAZAKSTAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

As a representative of the State in which the fourth round of inter-Tajik talks on national reconciliation was held, I have the honour to transmit to you herewith the text of the joint statement by the delegation of the Government of the Republic of Tajikistan and the delegation of the Tajik opposition on the results of the fourth round of inter-Tajik talks on national reconciliation, signed in Almaty on 1 June 1995 (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Akmaral Kh. ARYSTANBEKOVA
Ambassador
Permanent Representative of Kazakstan
to the United Nations

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Annex

Joint statement made on 1 June 1995 by the delegation of the Government of the Republic of Tajikistan and the delegation of the Tajik opposition on the results of the fourth round of inter-Tajik talks on national reconciliation

The fourth round of inter-Tajik talks on national reconciliation was held under United Nations auspices in Almaty from 22 May to 1 June 1995. Observers from Afghanistan, the Islamic Republic of Iran, Kazakstan, Kyrgyzstan, Pakistan, the Russian Federation, Uzbekistan, the Organization for Security and Cooperation in Europe (OSCE) and the Organization of the Islamic Conference took part in the talks. The delegation of the Government of the Republic of Tajikistan was headed by Mr. Madmadsaid Ubaidulloev, First Deputy Prime Minister of the Republic of Tajikistan; the delegation of the Tajik opposition was headed by Mr. Akbar Turajonzoda, First Deputy Chairman of the Islamic Renaissance Party of Tajikistan. Ambassador Ramiro Píriz-Ballón, Special Envoy of the Secretary-General for Tajikistan, served as mediator in the talks. The talks were held in a frank and businesslike atmosphere.

In keeping with the agenda agreed upon during the inter-Tajik consultations held in Moscow in April 1995, the parties held a thorough discussion of the fundamental questions of the constitutional structure and the consolidation of the State system of the Republic of Tajikistan, as established during the first round of inter-Tajik talks held in Moscow in April 1994. However, in view of the extremely complex nature of the questions under discussion, the parties were unable to work out mutually acceptable decisions. The parties nevertheless reaffirmed their readiness to seek a practical solution to the aforementioned problems.

The delegation of the Government of the Republic of Tajikistan and the delegation of the Tajik opposition noted with satisfaction the decision to extend the Tehran Agreement until 26 August 1995, adopted at the Kabul summit meeting held from 17 to 19 May 1995.

With a view to strengthening confidence and on the basis of humanitarian principles, the parties agreed to transmit to the International Committee of the Red Cross (ICRC), by 25 June 1995, through their representatives to the Joint Commission on the Implementation of the Tehran Agreement, lists of detainees and prisoners of war who are eligible for release. Together with the members of the Joint Commission, ICRC, after revising the lists submitted to it, will conduct, by 20 July 1995, an exchange of an equal number of detainees and prisoners of war in accordance with its plan. The sides have also agreed to allow ICRC and the members of the Joint Commission to visit places where prisoners of war are being held, as well as detention centres.

The parties agreed to intensify their efforts to ensure the voluntary return, in dignity and safety, of all refugees and displaced persons to their homes. With a view to ensuring their safety, honour and dignity, the sides also call upon the United Nations, OSCE and the Office of the United Nations High Commissioner for Refugees (UNHCR) to help guarantee the safety of the returnees

and displaced persons and to ensure and strengthen their presence in places where such persons reside.

The Government of the Republic of Tajikistan undertakes to reintegrate the returnees into the country's social and economic life, which includes the provision of humanitarian and financial aid, assist them in finding employment and housing, restore to them all the rights enjoyed by citizens of the Republic of Tajikistan (including the return to them of their dwellings and property and the maintenance of uninterrupted employment) and also not to institute criminal proceedings against returnees or displaced persons for their participation in the political confrontation and civil war, in accordance with the legislative acts currently in force in the Republic.

The parties decided to instruct the Joint Commission on Refugees, with the participation of representatives of local government and the opposition, during the period up to 15 July 1995, to visit refugee camps in Afghanistan, places in States of the Commonwealth of Independent States (CIS) where such refugees dwell in large numbers and also districts of the Republic of Tajikistan to which refugees and displaced persons intend to return.

The sides call upon the Governments of the CIS States to consider issuing temporary identity cards to refugees from Tajikistan and also to assist UNHCR in undertaking additional measures to guarantee their safety and protect their honour and dignity.

While expressing their sincere gratitude to the United Nations, UNHCR, OSCE and donor countries for their assistance, the sides at the same time urge them to provide additional substantial financial and material support for the refugees and displaced persons and the Joint Commission on Refugees.

The delegations of the Government of the Republic of Tajikistan and the Tajik opposition have called upon the Special Envoy of the Secretary-General for Tajikistan to hold consultations with the leaders of the Republic of Tajikistan and the Tajik opposition and other interested parties on questions related to the continuation of the inter-Tajik political dialogue. The parties express their deep gratitude to President Nursultan Nazarbaev and the Government of the Republic of Kazakstan for their hospitality and assistance in organizing and holding the Almaty round of talks. They are also grateful to the representatives of the observer States and international organizations for their assistance and support during the fourth round of inter-Tajik talks.

The parties thank the Special Envoy of the Secretary-General for Tajikistan, Mr. Ramiro Píriz-Ballón, for his assistance in organizing and holding the round of talks.

(Signed) M. UBAIDULLOEV
Head of delegation of the Government of the Republic of Tajikistan

(Signed) A. TURAJONZODA
Head of delegation of the Tajik opposition

(Signed) R. PÍRIZ-BALLÓN
Special Envoy of the Secretary-General for Tajikistan

UNITED NATIONS **S**

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7 June 1995
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LETTER DATED 5 JUNE 1995 FROM THE PERMANENT REPRESENTATIVE OF KAZAKSTAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

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I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Akmaral Kh. ARYSTANBEKOVA
Ambassador
Permanent Representative of Kazakstan
to the United Nations

* Reissued for technical reasons.

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On the basis of humanitarian principles, the delegation of the Government of the Republic of Tajikistan agreed to take the necessary steps to halt, during the period of inter-Tajik talks, the carrying out of death sentences passed on supporters of the opposition, and subsequently to review that method of punishment.

The parties agreed to intensify their efforts to ensure the voluntary return, in dignity and safety, of all refugees and displaced persons to their homes. With a view to ensuring their safety, honour and dignity, the sides also call upon the United Nations, OSCE and the Office of the United Nations High Commissioner for Refugees (UNHCR) to help guarantee the safety of the returnees and displaced persons and to ensure and strengthen their presence in places where such persons reside.

The Government of the Republic of Tajikistan undertakes to reintegrate the returnees into the country's social and economic life, which includes the provision of humanitarian and financial aid, assist them in finding employment and housing, restore to them all the rights enjoyed by citizens of the Republic of Tajikistan (including the return to them of their dwellings and property and the maintenance of uninterrupted employment) and also not to institute criminal proceedings against returnees or displaced persons for their participation in the political confrontation and civil war, in accordance with the legislative acts currently in force in the Republic.

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The parties thank the Special Envoy of the Secretary-General for Tajikistan, Mr. Ramiro Píriz-Ballón, for his assistance in organizing and holding the round of talks.

(Signed) M. UBAIDULLOEV
Head of delegation of the Government of the Republic of Tajikistan

(Signed) A. TURAJONZODA
Head of delegation of the Tajik opposition

(Signed) R. PÍRIZ-BALLÓN
Special Envoy of the Secretary-General for Tajikistan

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NATIONS

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S/1995/461
6 June 1995

ORIGINAL: ENGLISH

LETTER DATED 5 JUNE 1995 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I wish to clarify once again the real facts of and our positions on the issues of the "United Nations Command", the Korean armistice system and the remains of the United States soldiers in response to the 1994 report on the activities of the "United Nations Command" that was circulated a few weeks ago as a document of the Security Council (S/1995/378).

As everyone knows, the "United Nations Command" is a brainchild of the United States of America which arbitrarily usurped the name of the United Nations in order to cover its real colour of aggression after provoking the Korean war in 1950 and still remains a camouflage today serving the military and strategic purpose of the United States.

As for the illegal resolution of the United Nations Security Council of 7 July 1950 (resolution 84 (1950)), which is claimed to be the legal foundation of the "United Nations Command", it did not decide to organize the "United Nations forces" but recommended that the armed forces and other assistance provided by United Nations Member nations should be used by the United States-led combined forces command.

The "United Nations Command" is in reality the product of the United States that emerged as a result of the arbitrary attachment of the name of the United Nations to the armed forces of the satellite nations under the command of the United States.

It was long ago that all countries except the United States withdrew their forces from the "United Nations Command", and today there are absolutely no other foreign troops dispatched to the "United Nations Command".

The "United Nations Command" is a bogus organization created by the United States and serves the unjust strategic aim of the United States to isolate and stifle the Democratic People's Republic of Korea and control the Asia and Pacific region regardless of the United Nations mission for peace.

Hence, General Assembly resolution 3390 B (XXX) calling for the dissolution of the "United Nations Command" and the replacement of the Armistice Agreement with a peace agreement was adopted at the thirtieth session of the General Assembly in 1975.

In fact, the Korean Armistice Agreement concluded on 27 July 1953 was a tentative measure pending a future peace agreement after the suspension of the military actions between the two belligerent parties.

The United States should take an urgent step to dismantle the "United Nations Command" as was stipulated by the resolution adopted at the thirtieth session of the General Assembly.

As for the Korean armistice system, it has been completely paralysed as a result of the systematic acts of the United States to destroy the Korean Armistice Agreement and armistice machinery.

The United States side forced the inspection teams of the Neutral Nations Supervisory Commission, which had been formed according to paragraphs 40 and 43 of article II of the Armistice Agreement, to withdraw from its side's area in June 1956 and then unilaterally abrogated subparagraphs 13 c and 13 d of the Armistice Agreement on stopping the introduction of reinforcing military personnel and combat materials into Korea, the main duty of the Neutral Nations Supervisory Commission, in June 1957.

As a result, paragraphs 41 and 42 of the Armistice Agreement, defining it as the mission of the Neutral Nations Supervisory Commission to supervise and investigate the introduction of reinforcing military personnel and combat materials, lost their legal effect.

Since then the Neutral Nations Supervisory Commission has existed only in name.

Worse still, the United States side paralysed even the function of the Military Armistice Commission, the main truce supervisory machinery, by unilaterally appointing a "general" of the South Korean army, with neither the qualification nor legal ground, as its senior member of the Military Armistice Commission on 25 March 1991.

Given the grave situation threatening peace on the Korean peninsula and non-existence of the appropriate mechanism to provide a check thereto, the Government of the Democratic People's Republic of Korea initiated a proposal to the United States for holding negotiations to replace the useless and obsolete armistice system with a new durable peace mechanism, and took further practical measures to recall all the members of the Korean People's Army side from the Military Armistice Commission and establish the Panmunjom Mission of the Korean People's Army as a new negotiating institution to deal with the United States Army side.

These measures were indeed innovative and well-intentioned ones to make a breakthrough for the new security mechanism guaranteeing the peace on the Korean peninsula and also peace-loving ones, reflecting the internationally recognized

practice through which several countries had abrogated belligerent relations and proclaimed peaceful relations after World War II.

The Democratic People's Republic of Korea and the United States, a signatory to the Armistice Agreement and virtual operational controller of the army in south Korea, are the parties directly responsible for the establishment of the peace mechanism on the Korean peninsula.

As for the remains of the United States soldiers, we had long ago exhumed and returned the remains of the United States army on several occasions out of the humanitarian principles.

We returned 145 additional sets of the United States army remains in 5 repatriations even after the conclusion of the agreement on remains-related matters on 24 August 1993.

Though we have repatriated 194 remains of the United States army remains as humanitarian gestures, the United States is intentionally not implementing the relevant provisions of the agreement, politically abusing the remains issue.

According to the agreement on remains-related matters, our side, under article 2, is to search for and exhume the remains of the United States soldiers buried north of the military demarcation line and repatriate those remains to the United States side, and the United States side, under article 3, is to render necessary support to aid the Korean People's Army's search, exhumation and repatriation efforts.

However, the United States side, after the conclusion of the agreement at its will, today now withdrew its commitment to support for our exhumation efforts, asking for the suspension of an unilateral exhumation and demanding a joint exhumation quite contrary to the relevant provisions of the agreement.

The current difficulty is therefore attributable to the political misuse of the remains matter and the deliberate non-compliance with the agreement by the United States side.

I would be grateful if you could kindly arrange to have my letter circulated as a document of the Security Council.

(Signed) PAK Gil Yon
Permanent Representative

UNITED NATIONS **S**

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S/1995/462
6 June 1995

ORIGINAL: ENGLISH

LETTER DATED 6 JUNE 1995 FROM THE PERMANENT REPRESENTATIVE OF POLAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit a copy of a letter from Prof. Wladyslaw Bartoszewski, Minister for Foreign Affairs of the Republic of Poland, regarding the latest developments in Bosnia and Herzegovina (see annex).

May I request that you arrange for the present letter and its annex to be circulated as a document of the Security Council.

(Signed) Zbigniew M. WLOSOWICZ
Ambassador Extraordinary and Plenipotentiary
Permanent Representative

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Annex

Letter dated 2 June 1995 from the Minister for Foreign Affairs of Poland addressed to the President of the Security Council

The Government of the Republic of Poland and Polish public opinion are deeply concerned by the development of the situation in Bosnia and Herzegovina. At the request of the Security Council, Poland, as well as a number of other States, has sent its officers and soldiers to the United Nations peace-keeping mission in the former Yugoslavia. We believed then that they would reverse the tragic developments in the area and assist in fulfilling this noble and greatly needed role envisaged for the United Nations.

Recent events prove, however, that the efficiency of the United Nations peace-keeping mission in Bosnia and Herzegovina turns out to be considerably limited. The Bosnian Serbs' leaders show total disrespect for both the decisions and appeals of the Security Council as well as for the activities of United Nations observers and troops. They have even gone so far as to brutally take hostage almost 400 United Nations officers and soldiers, including 2 senior Polish officers from the United Nations Protection Force (UNPROFOR), using them, among others, as "human shields". The direct threat to lives caused by these unlawful acts provokes our protest and deep indignation.

It is necessary in this respect to undertake actions to restore the efficiency of the Blue Helmets' mission to Bosnia and Herzegovina and provide appropriate protection for the lives and health of UNPROFOR members. The responsibility for this rests with the United Nations. First of all humanitarian reasons speak in favour of taking urgent steps by the Security Council so as to guarantee the return of persons detained by the Bosnian Serb forces to the unhindered conduct of their mission, thus calming public outrage and the concerns of their families.

The participation of the Polish armed forces in the United Nations peace-keeping operations and other international actions for the sake of restoration of peace in the world has been from the outset, that is, since 1953, the object of pride and admiration on the part of the Polish people.

The Government of the Republic of Poland fully supports the United Nations Security Council in its efforts aimed at restoring peace on the Balkan peninsula and counts on more effective actions to be taken in conformity with the Charter of the United Nations. Poland will not cease its efforts to support the Security Council in fulfilling its basic function, maintaining international peace and security.

(Signed) Wladyslaw BARTOSZEWSKI

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S/1995/463
6 June 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 39
THE SITUATION IN BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
Fiftieth year

Letter dated 6 June 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General

I have the honour to present to you the attached statement, dated today, by the former mayors of Sarajevo (see annex).

May I ask for your kind assistance in circulating the present letter and its annex as a document of the General Assembly, under agenda item 39, and of the Security Council.

(Signed) Ivan Z. MISIĆ
Chargé d'affaires a.i.

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ANNEX

Statement dated 6 June 1995 by the former mayors of Sarajevo

Although our experience with the Karadžić Serbs prevents us from being surprised at their most recent terror tactics directed at the United Nations Protection Force (UNPROFOR), we join the entire world in its revulsion and condemnation at their taking as hostages UNPROFOR peace-keepers and unarmed United Nations monitors. We applaud the concern of the international community and its decision to help and rescue the hostages without making concessions to the terrorists.

Being concerned for the welfare of all peace-loving peoples, we believe we have the right to request from the international community that it show the same concern for the more than 500,000 Karadžić Serb-held captives in the besieged population centres of Sarajevo, Tuzla, Goražde, Srebrenica, Bihać and Žepa, Security Council-declared "safe areas", which are today lacking food, water, medicines, electricity and other necessities. While the Karadžić Serbs have threatened to kill one international hostage for every bomb dropped by NATO, they do not have any conditions for killing the Bosnians - many Bosnians are killed every day and many more are wounded.

We request that the international community show the same concern for all captives and victims in accordance with the relevant principles and conventions.

The former mayors of Sarajevo:

Dane OLBINA
Braco KOSOVAC
Lazo MATERIC
Vaso RADIC
Dzemaludin MUMINAGIC
Dane MALJKOVIC
Salko SELIMOVIC
Juraj MARTINOVIC